

FORM PTO 1390  
(REV 5-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
2004\_1492ATRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371

U.S. APPLICATION NO.

(if known, see 37 CFR 1.53)

NEW 10/509745

International Application No.  
PCT/JP2004/003459International Filing Date  
March 16, 2004Priority Date Claimed  
April 14, 2003**Title of Invention**OPTICAL RECORDING MEDIUM, MANUFACTURING METHOD FOR OPTICAL RECORDING MEDIUM, AND  
REPRODUCING METHOD FOR OPTICAL RECORDING MEDIUM**Applicant(s) For DO/EO/US**

Yuko KAWAGUCHI, Shinya ABE, Morio TOMIYAMA, Eiji OHNO


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). **ATTACHMENT A**
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)). **ATTACHMENT B**
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19.
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). **ATTACHMENT C**
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

**Items 11. to 14. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. **ATTACHMENT D**
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  
**ATTACHMENT E**
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ Other items or information: a. Notification Concerning Submission or Transmittal of Priority Document, Form PCT/IB/304. **ATTACHMENT F**

**THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975**

U.S. APPLICATION NO. <b>20-509745</b> NEW		INTERNATIONAL APPLICATION NO. PCT/JP2004/003459		ATTORNEY'S DOCKET NO. 2004_1492A	
15. [X] The following fees are submitted  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00 International Search Report has been prepared by the EPO or JPO ..... \$ 920.00 International preliminary examination fee not paid to USPTO but international search paid to USPTO ..... \$ 770.00 International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690.00 International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$ 100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				CALCULATIONS	PTO USE ONLY
				\$920.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(c)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	20 -20 =	0	X \$18.00	\$	
Independent Claims	3 - 3 =	0	X \$86.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$290.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$920.00	
[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$920.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				\$920.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$960.00	
				Amount to be refunded	\$
				Amount to be charged	\$
a. [X] A check in the amount of \$ <u>960.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
19. CORRESPONDENCE ADDRESS			By:  Jeffrey R. Filipek, Registration No. 41,471  WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250		
CUSTOMER NO. <b>000513</b>			September 30, 2004		

[CHECK NO. 64415

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